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Security Council

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Report of the Secretary-General on the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1494 (2003) of 30 July 2003, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 January 2004 and requested me to report three months from the date of the adoption of the resolution. It provides an update of the situation in Abkhazia, Georgia, since my previous report, dated 21 July 2003 (S/2003/751).

2. My Special Representative for Georgia, Heidi Tagliavini, continued to head UNOMIG. Major General Kazi Ashfaq Ahmed (Bangladesh) continued to serve as the Chief Military Observer. The strength of UNOMIG as at 1 October 2003 was 117 military observers (see annex).

II. Political process

3. During the reporting period, UNOMIG continued to work on the three sets of issues — economic cooperation, return of refugees and internally displaced persons, and political and security matters — identified as key to advancing the peace process at the United Nations-chaired brainstorming session of the Group of Friends in February (see S/2003/412, para. 3). The Mission also contributed expertise to the bilateral Georgian-Russian working groups established in accordance with the agreements reached by the Presidents of Georgia and the Russian Federation in March 2003 (see S/2003/412, para. 5) to assist with the implementation of the tasks put forward by the Group of Friends. While they were of value in themselves, ultimately all these activities were aimed at bringing about meaningful negotiations between the Georgian and Abkhaz sides on a comprehensive political settlement based on the paper entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its transmittal letter (see S/2002/88, para. 3).

4. Throughout the reporting period, my Special Representative maintained a regular dialogue with the two sides and with representatives of the Group of Friends, both in Tbilisi and in their respective capitals, to move the peace process forward. At the end of July, she held separate meetings in Geneva and New York with representatives of each of the countries constituting the Group of Friends. She also met with the troop-contributing countries in New York. In early October, she had

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consultations in Moscow with the Special Representative of the President of the Russian Federation for the Georgian-Abkhaz conflict, First Deputy Foreign Minister Valery Loshchinin.

5. On 21 and 22 July, senior representatives of the Group of Friends convened in Geneva for a second meeting under the chairmanship of the Under-Secretary-General for Peacekeeping Operations and with the participation of my Special Representative to review progress on the above sets of key issues. At the meeting, the Group of Friends expressed support for the substantive work being done on those issues, including the preparations for the deployment of a UNOMIG civilian police component and the further exploration of the issue of security guarantees. They made a number of additional proposals, in particular for my Special Representative to explore with the sides how administrative arrangements in the Gali district could be made more conducive to the sustainable return of refugees and internally displaced persons.

6. In an important step forward, for the first time representatives of the Georgian and Abkhaz sides participated in part of the meeting. Their involvement, in a positive spirit, greatly enhanced the understanding of the Group of Friends on concerns vital to the parties. The sides were committed to further cooperation and agreed to join the Group of Friends again towards the end of the year to review progress and explore future steps. The sides also reacted positively to the suggestion of a joint visit to a post-conflict situation in order to study best practices. Accordingly, UNOMIG has made arrangements to visit Bosnia and Herzegovina and Kosovo, Serbia and Montenegro, in mid-October.

7. At the meeting, the Georgian side stressed the need at present for measures to support and promote the process of return to the Gali district, in particular in the areas of security, human rights protection and language of instruction, as outlined in the joint assessment mission of 2000 (see S/2001/59, annex II), the Yalta Declaration and Programme of Action of 2001 (S/2001/242, annex; see also S/2001/401, para. 6) and the security assessment mission of 2002 (S/2003/412, para. 16). It noted, in particular the importance of opening a Gali branch of the United Nations Human Rights Office in Abkhazia, Georgia. As a long-term measure, the Georgian side advocated a joint interim administration in the Gali district under international supervision.

8. The Abkhaz side stressed in particular its security concerns and the need for a mechanism to ensure the non-resumption of hostilities. It expressed its willingness to constructively address humanitarian questions related to refugee return and to consider the opening of a Gali branch of the human rights office, as well as involvement by the Office of the United Nations High Commissioner for Refugees (UNHCR) in the registration of returnees, provided that those issues were not politicized. The Abkhaz representatives also expressed general support for the 2001 Yalta decisions and the recommendations of both the joint assessment mission and the security assessment mission.

9. Despite these signs of positive engagement by the Abkhaz side, it continued to persist in its refusal to receive the paper on competences and its transmittal letter and, likewise, remained negatively disposed towards including the core political issue of the conflict in any negotiation framework, referring to its unilateral declaration of independence of 1999 (see S/1999/1087, para. 7). The continued lack of progress on this key question prompted the Georgian Parliament to adopt a

resolution on 16 July calling for peace enforcement measures under Chapter VII of the Charter of the United Nations.

10. My Special Representative, in consultation with the two sides and the Tbilisi-based representatives of the Group of Friends, continued preparations for a second meeting on security guarantees as a follow-up to the dialogue launched on this issue in July (see S/2003/751, para. 5). Concurrently, in an effort to address the deteriorating security situation in the zone of conflict, particularly in the Gali district, on 8 October my Special Representative convened a high-level extraordinary meeting on security matters with the participation of the two sides and the Commonwealth of Independent States (CIS) peacekeeping force. A protocol was signed that provides, among other things, for cooperation between the sides and immediate measures to stop criminal activities, irrespective of their character, which have a serious impact on the security situation; exchange of information on such crimes; and a commitment to ensure that perpetrators will be brought to justice. In the protocol, the sides also pledged cooperation with the Mission's incoming civilian police component (see para. 24) and agreed to meet in December to review the efficiency of existing security mechanisms.

11. Pursuant to the Sochi agreements (see S/2003/412, para. 5), on 31 July the Georgian-Russian bilateral working group on the return of refugees and internally displaced persons held its second meeting, in Tbilisi (see S/2003/751, para. 4). UNOMIG and representatives of the Tbilisi office of UNHCR contributed substantially to the discussion, in particular with regard to international standards for safe and dignified return. The Georgian side continued to insist on the establishment of a joint interim administration in the Gali district under international supervision. The Russian side emphasized, however, that such a proposal would not be acceptable to the Abkhaz side, which is not, at present, a participant in the working group.

12. The efforts of UNOMIG were affected by events in both Sukhumi and Tbilisi. On 30 September, the Abkhaz side celebrated the tenth anniversary of the takeover of Sukhumi as "independence day". Tbilisi marked the day as one of mourning for the victims of the 1992/93 armed confrontation. On the eve of the anniversary, my Special Representative appealed to both sides to refrain from acts that could destabilize the situation and impede the peace process. During the reporting period, the Georgian side continued to protest against the organized campaign by the Abkhaz to acquire Russian citizenship; the reopening of a Sochi-Sukhumi maritime connection, in addition to the Sochi-Sukhumi railway; the flow of private, mainly Russian, investment; and the signing by the Abkhaz side of cooperation agreements with administrative units of the Russian Federation in September. The Abkhaz side, for its part, continued to be disturbed by the militant rhetoric of some Georgian politicians implying that a military solution for the conflict was not excluded.

13. At their summit meeting, on 19 September, the CIS Heads of State adopted a statement reaffirming their commitment to not support secessionist regimes and to not engage in economic operations or in official contacts with the Abkhaz side without the consent of the Georgian authorities, as set out in documents adopted by the Council of CIS Heads of State in 1995 and 1996.

III. Operational activities

14. UNOMIG military observers continued to perform their mandated tasks through the conduct of daily ground patrols in the Gali and Zugdidi sectors. Patrols of the Kodori Valley remained suspended following the kidnapping of four UNOMIG personnel on 5 June 2003. UNOMIG has completed its investigation into the incident, and consideration is now being given to the resumption of patrols, conditional upon the implementation of more robust security measures and a demonstrable commitment by the Georgian authorities to ensure the security of UNOMIG staff. Aerial patrolling also remained suspended as a result of ongoing concerns about security. Administrative flights continued along specially designated air corridors over the Black Sea. Security procedures for observer patrols in the Gali district were strengthened in the lead-up to the Abkhaz celebrations on 30 September.

15. Two violations of the 1994 Moscow Agreement (S/1994/583 and Corr.1, annex I) were recorded. On 23 July, a Georgian National Guard convoy carrying 30 military personnel armed with personal weapons travelled through the security zone on the way to Mestia, near the Georgian border with the Russian Federation. UNOMIG raised the violation with the Georgian authorities and called upon the National Guard to use a different route in future. However, the convoy used the same route on its return to Tbilisi on 29 July. UNOMIG lodged a protest. Separately, on 26 August, the Georgian armed forces conducted a joint military exercise at the Kulevi training area, which is partly located in the restricted-weapon zone. Military personnel and equipment — introduced into the restricted-weapon zone in violation of the 1994 Moscow Agreement — were withdrawn after UNOMIG lodged a protest with the Georgian authorities.

16. The quadripartite joint fact-finding group continued to investigate violent incidents, with the active participation of all parties. Seven cases are currently under investigation by the group.

17. Weekly quadripartite meetings have continued to bring the two sides together with the Chief Military Observer and the Commander of the CIS peacekeeping force to discuss priority issues of concern, particularly those related to security. By providing a forum for the discussion of those issues, and where appropriate their referral to the joint fact-finding group, the meetings have played an important role in defusing tension and promoting understanding and cooperation between the sides. Most recently, UNOMIG has used the meetings — in addition to other appropriate consultative forums — to urge the sides to refrain from violence during the 30 September Abkhaz celebrations and the upcoming Georgian elections.

Kodori Valley

18. In the absence of its own patrol presence, UNOMIG relied on reports from the CIS peacekeeping force and the two sides for details of the situation in the Kodori Valley. Those corroborative reports indicate that the situation in the Valley throughout the reporting period was calm and without serious incident. The dispute between the sides over the legality of the armed presence in the Georgian-controlled upper part of the Valley continued, with the Abkhaz side maintaining that the armed personnel were troops and therefore constituted a violation of the 1994 Moscow

Agreement, and the Georgian side asserting that they were border guards and local reservists, which were not prohibited by the Agreement.

Gali sector

19. Overall, the situation in the Gali sector was assessed by UNOMIG as generally calm but unstable, with occasional periods of heightened tension associated with violent attacks on the local population. During the reporting period, 10 people were killed in 6 separate incidents; there were also 3 kidnappings, 14 robberies and 6 shootings. The most significant incident was the killing of four Abkhaz de facto customs officers and the wounding of three others in an ambush near the village of Tagiloni, close to the ceasefire line in the Gali district, on 4 August. One month later, on 5 and 6 September, Abkhaz de facto customs officers were accused of beating a number of residents of Tagiloni. The joint fact-finding group established that beatings had taken place, and Abkhaz authorities promised that disciplinary action would be taken once those responsible had been identified.

20. Elsewhere in the Gali district, one fisherman was killed and two others were taken hostage on 30 July (both were later released unharmed); a 55-year old woman was killed during a robbery and two young men were found dead in lower Gali on 11 August; and an anti-tank mine was found beside a road near the ceasefire line and later removed on 3 September. Abkhaz military and CIS peacekeeping forces, deployed in separate checkpoints in the Gali district, reported coming under fire on 11 and 13 September respectively; no casualties were reported in either incident, and in both cases the perpetrators fled when gunfire was returned. Efforts by local law enforcement agencies in the Gali district to counter the level of criminal activity — including four search operations conducted in the upper and lower parts of the Gali district — continued to prove largely unsuccessful.

Zugdidi sector

21. Most of the incidents that took place in the Zugdidi sector, which was assessed by UNOMIG as being generally calm, involved local residents protesting against the lack of services or infrastructure. There were two demonstrations and two blockades at the Mission's Zugdidi headquarters by local residents protesting against electricity outages. On 19 August a UNOMIG patrol was stopped by the residents of Darcheli village in protest against the failure of authorities to repair local roads, most of which are in poor condition. The issue has been brought to the attention of Georgian authorities, who have been asked to take appropriate steps to guarantee the security and freedom of movement of UNOMIG personnel and patrols. There were other security incidents as well, although not as numerous as those in the Gali sector: three killings, three abductions and eight robberies were reported. In a serious incident, a soldier of the CIS peacekeeping force was abducted by unknown assailants from the Zugdidi market on 27 September. He was released on 30 September following an operation by the CIS peacekeeping force. The Georgian Ministry of Foreign Affairs protested against the unilateral actions of the CIS peacekeeping force. Local law enforcement chiefs have estimated that, in keeping with previous years, crime figures will likely increase as the harvest season progresses.

22. In a separate incident, Zurab Lakerbaia, the Executive Secretary of the Georgian-Abkhaz Bilateral Coordination Commission, which works closely with UNOMIG within the United Nations-led Coordinating Council mechanisms, was shot and seriously wounded by unknown assailants in Tbilisi on 25 September. Georgian authorities have launched an investigation into the incident.

IV. Cooperation with the collective peacekeeping forces of the Commonwealth of Independent States

23. UNOMIG and the CIS peacekeeping force have continued to work together closely, at both the Headquarters and sector levels. Regular staff meetings at the working level complemented the frequent exchanges of my Special Representative and the Chief Military Observer with the Commander of the CIS peacekeeping force.

V. Policing issues

24. Following the approval by the Security Council of the addition to UNOMIG of 20 international civilian police officers to strengthen the Mission's capacity to carry out its mandate, steps have been taken to select the first group of officers for deployment in October 2003 (see S/2003/751, para. 19). Efforts are also under way to identify and deploy the remaining members of the civilian police component. Once deployed, the 20 civilian police officers will advise UNOMIG civilian and military leadership on law enforcement issues; coordinate and facilitate assistance in training and equipment for the local law enforcement agencies; monitor and provide on-the-job training and advice to local law enforcement agencies; and facilitate cross-ceasefire-line cooperation through joint activities and on-the-job training.

VI. Human rights and humanitarian situation

25. The precarious human rights situation in Abkhazia, Georgia, has deteriorated in the wake of the killing of Abkhaz de facto customs officers near the ceasefire line on 4 August and the subsequent beating of local residents in the same area one month later (see para. 19 above). Additional reports of assault or harassment of local residents by uniformed Abkhaz personnel in the Gali district were also recorded. Similarly, there were reports of maltreatment at the Gali pre-trial detention centre. The United Nations Human Rights Office in Sukhumi has stepped up its presence in the Gali district to an average of two to three days per week. Nevertheless, the absence of a full-time presence continues to hamper the efforts to raise awareness of and adherence to human rights principles, underscoring the importance of opening a Gali branch of the Human Rights Office. Human rights officers continued to provide advisory services to the local population. Many individuals visiting the office complained about loss of property rights.

26. International agencies and non-governmental organizations (NGOs) continued their activities aimed at providing food, medical and infrastructure assistance to those most in need. The HALO Trust continued to perform mine clearance and mine-awareness training. UNOMIG completed 11 quick-impact projects aimed at

improving conditions for displaced persons and also continued to repair roads and bridges to improve access for its patrols. UNHCR, in cooperation with local authorities and beneficiary communities, has continued to rehabilitate local educational infrastructure with its ongoing repairs of 10 school buildings in Abkhazia, Georgia, including 6 in the Gali district. More than 1,500 schoolchildren are expected to benefit from current UNHCR activities in the region; this is in addition to the approximately 13,800 pupils who benefited from the UNHCR school rehabilitation projects in 2001 and 2002. UNHCR also continued to provide food and non-food assistance to more than 270 vulnerable and elderly persons in Sukhumi. An additional allocation of €2.2 million by the European Community Humanitarian Office in September will permit the continuation of programmes designed to enhance the food security of vulnerable families on both sides of the ceasefire line. Those programmes are being implemented by the Spanish NGO Acción Contra el Hambre (ACH) and the International Committee of the Red Cross. ACH has also been selected to implement a World Food Programme "food-for-work" project aimed at community mobilization and improvement of food security for 13,550 vulnerable families through the rehabilitation of agricultural potential and a project funded by the Swiss Agency for Development and Cooperation for community development. Première urgence, a French NGO funded by the Swiss agency, continued to improve the quality of selected individual and collective housing. The United Nations Development Fund for Women continued to work with local NGOs in Abkhazia, Georgia, to promote the roles, responsibilities and rights of women.

VII. Support issues

27. UNOMIG has comprehensively reviewed its security procedures in the wake of the attack on the United Nations headquarters in Iraq. Additional security measures have also been introduced in the lead-up to the 30 September Abkhaz celebrations and the upcoming Georgian elections. Construction at the container office complex at the UNOMIG compound in Sukhumi, which provides additional perimeter security, is almost complete, with all but one office relocated.

VIII. Financial aspects

28. By its resolution 57/333 of 18 June 2003, the General Assembly appropriated an amount of $32,092,900 (gross), equivalent to $2,674,408 per month, for UNOMIG for the period from 1 July 2003 to 30 June 2004. The financial requirements related to the additional civilian police component deployed to UNOMIG, as indicated in paragraph 24 above, would be absorbed within the approved budget for the period from 1 July 2003 to 30 June 2004.

29. As at 31 August 2003, unpaid assessed contributions to the UNOMIG Special Account amounted to $20.8 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1.5 billion.

IX. Observations

30. The period under review was marked by the Mission's determined efforts to move the implementation of the proposals and agreements of the Geneva brainstorming sessions and the Sochi summit forward. The presence of both sides, for the first time, at the United Nations-chaired high-level brainstorming session in July is a welcome development in the peace process. It signals the sides' readiness to engage constructively on areas of key concern. Although the core political issue — the future status of Abkhazia within the State of Georgia — was not addressed in a substantive way, the Abkhaz side has shown some positive signs of its commitment to the peace process by attending the high-level meeting in Geneva, engaging in a meaningful dialogue with the Georgian side and the Group of Friends on the issue of security guarantees and by accepting the recommendations of the 2002 security assessment mission. I welcome the sides' commitment to join the Group of Friends again at its next deliberations and to help outline further steps that will ultimately lead to a comprehensive political settlement.

31. It is important that the momentum gained since February not be lost. With the support of UNOMIG and UNHCR, the sides should continue to advance on the issue of return, among others, on the basis of the 1994 quadripartite agreement on voluntary return (S/1994/397, annex II), and seriously work towards the further implementation of the recommendations of the joint assessment mission to the Gali district. Both sides, in particular the Abkhaz side, should cooperate fully in the realization of the recommendations made by the security assessment mission, including cooperation with the UNOMIG civilian police component and the opening of a Gali branch of the Human Rights Office, which will help create the proper security conditions for the sustainable, safe and dignified return of refugees and internally displaced persons.

32. I am hopeful that practical cooperation on matters of mutual interest will further contribute to a climate of trust between the two sides. However, in order to achieve lasting stability and security, the political issue at the heart of the conflict must ultimately be addressed. The paper on the distribution of competences, which has the full support of all members of the Group of Friends and the Security Council, is a useful basis for such negotiations and provides a workable platform for addressing the legitimate concerns of both sides. The Abkhaz side should seriously review its negative position on this issue, and I strongly urge the sides, in particular the Abkhaz side, to enter into a meaningful dialogue on the core issue of the conflict.

33. The security of UNOMIG personnel remains a salient concern. The failure to identify and bring to justice any of the perpetrators of criminal acts against the Mission's personnel, including the shooting down of a UNOMIG helicopter in 2001, is not acceptable. Regrettably, the Abkhaz side continues to refuse the Georgian authorities access to the helicopter crash site, which impedes finalization of the investigation of the incident. I remind both sides once again of their responsibility to ensure safety and security for UNOMIG personnel at all times and urge them to enhance cooperation in this area.

34. Finally, I wish to express my appreciation to Ms. Tagliavini, my Special Representative, Roza Otunbayeva, her Deputy, and Major General Ashfaq, the Chief Military Observer, for their determined and hard work in support of the parties'

efforts towards a lasting settlement of the conflict in Abkhazia, Georgia. Their efforts, dedication and leadership continue to earn the respect of both sides and ensure that UNOMIG remains a dynamic and effective mission. I commend all men and women of UNOMIG for their persistent and courageous work under difficult and often dangerous circumstances.

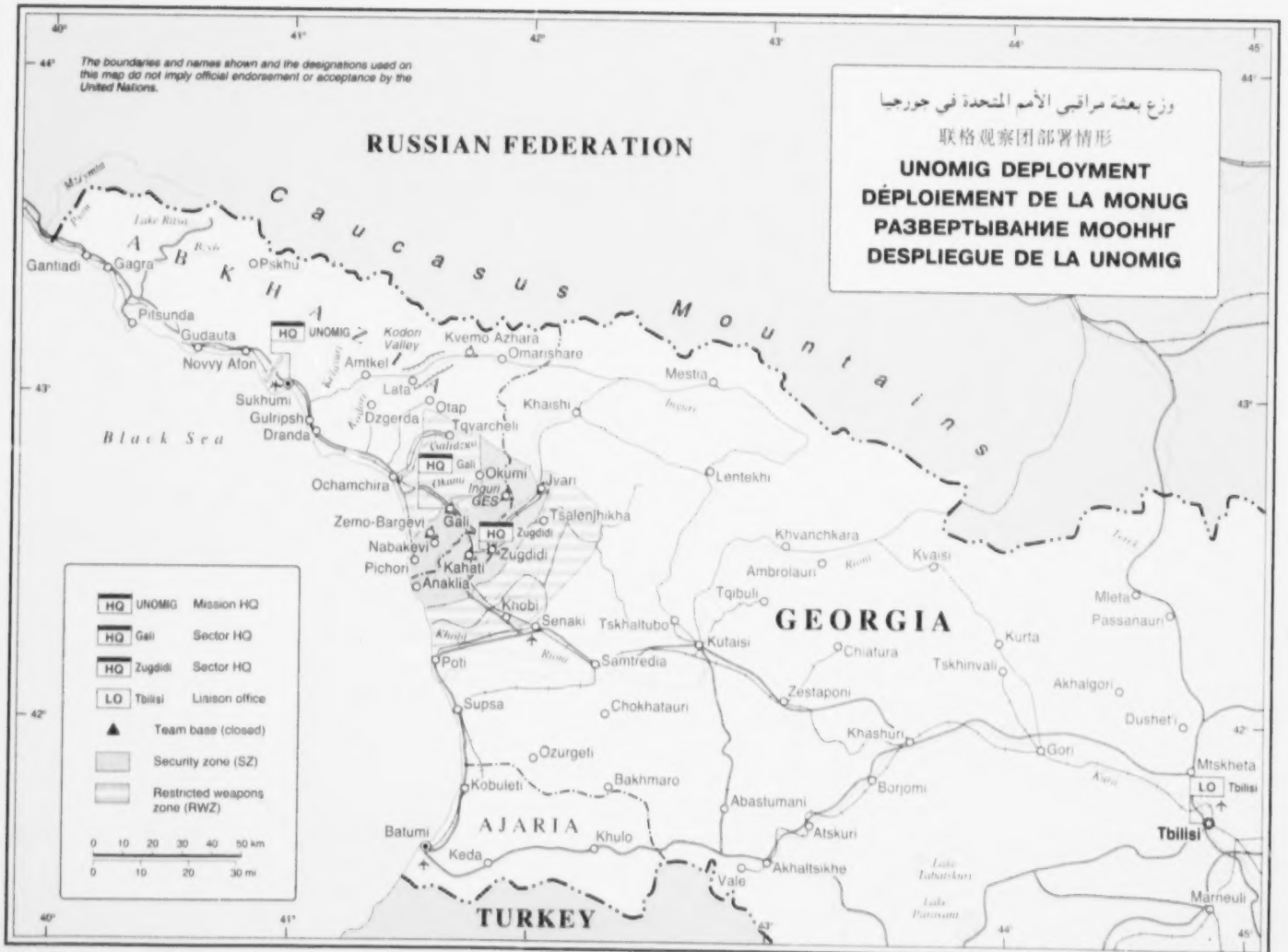
Annex

Countries providing military observers

(as at 1 October 2003)

Country	*Number of military observers*
Albania	3
Austria	2
Bangladesh	9[a]
Czech Republic	5
Denmark	6
Egypt	3
France	3
Germany	11
Greece	5
Hungary	7
Indonesia	4
Jordan	7
Pakistan	9
Poland	4
Republic of Korea	7
Russian Federation	3
Sweden	3
Switzerland	4
Turkey	5
Ukraine	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	**117**

[a] Includes Chief Military Observer.



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General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-eighth year

Letter dated 16 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I transmit to you herewith a statistical table showing the number of Israeli air, sea and land violations of Lebanese sovereignty during September 2003, i.e., a total of 64 violations.

These acts of aggression reaffirm Israel's hostile attitude, and the nature and number of those unjustified and inexcusable violations and acts of aggression confirm Israel's premeditated intent to threaten and provoke and to disrupt security and stability in order to serve its aggressive, expansionist objectives throughout the region.

The Mission of Lebanon, in drawing the attention of the Secretary-General of the United Nations to the gravity and possible consequences of such acts of aggression, requests to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

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Information summary

Statistical table showing the number of Israeli violations during September 2003

Air violations				*Sea violations*	*Land violations*			*Total violations*	*Remarks*
					Military acts of aggression	*Field violations*	*Breaches*		
Military jet	Reconnaissance	Helicopter	Total	Crossing of regional waters, shooting of flares	Air raids, shelling of military locations and important centres	Artillery shelling, firing, infiltration, setting up of installations within Lebanese territory	Threats and displaying of weapons, bulldozing of soil, placing of barbed wire inside Lebanese territory		Total number of violations during the previous month
12	9	8	29	17	3	8	7	64	89

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The situation in the Middle East

Security Council
Fifty-eighth year

Letter dated 16 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I transmit to you hereinafter a list of persistent Israeli violations and acts of aggression against Lebanon committed from 5 to 11 October 2003.

Violations of airspace

At 0420 hours on 5 October 2003 eight Israeli military aircraft entered Lebanese airspace from the sea, six of them from off Shikka and two from off Batrun. They all flew east as far as the Baalbek region and from there towards the south, thus violating Lebanese airspace.

Between 1085 and 1150 hours on 8 October 2003 two Israeli military aircraft flew north over the Kafr Killa region, breaking the sound barrier over the city of Beirut and flying as far as Al-Arz (the Cedars). They were then followed by two military aircraft flying east over the sea off Byblos. The four aircraft circled over Shikka and the Cedars, then flew south. They thus violated Lebanese airspace.

Between 1945 hours and 0240 hours on the night of 8 to 9 October 2003 an Israeli reconnaissance aircraft flew from 12 miles out at sea off the mouth of the Zahrani River to the town of Jazzin and from there to Baruk Mountain, over which it circled, then north to the Dahr al-Baydar area, over which it also circled. At 0209 hours the said aircraft disappeared from the radar screen, then reappeared over the Damur area and flew back towards the south. It thus violated Lebanese airspace.

Between 0155 and 0800 hours on 9 October 2003 an Israeli reconnaissance aircraft flew east over the sea opposite the Zahrani River area, proceeded to the Dahr al-Baydar area and then headed towards the sea in the vicinity of Damur, thus violating Lebanese airspace.

Between 0700 and 1404 hours on the same day, an Israeli reconnaissance aircraft flew over the Zahrani River area in an easterly direction and circled over the

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regions of Baruk Mountain, Dahr al-Baydar, Chtaura and Jubb Jannin, thus violating Lebanese airspace.

Between 1630 and 2320 hours on the same day an Israeli reconnaissance aircraft flew in an easterly direction over the Damur area, proceeded to Baruk and circled over the area between Baruk and Dahr al-Baydar, then proceeded to the Majdal Anjar area and circled over Barr Elias, thus violating Lebanese airspace.

Between 2140 and 0415 hours on the night of 9 to 10 October 2003 an Israeli reconnaissance aircraft flew over the Bint Jubayl area in a northerly direction to the Iqlim al-Kharrub region, circled over it and proceeded north 5 miles east of Damur and disappeared from the radar screen. It then reappeared heading east over the sea off Damur at a distance of four miles from the coast, flew to the Dahr al-Baydar area, headed west and once again disappeared from the radar screen. It next appeared five miles west of Sidon heading in an easterly direction and proceeded to Dahr al-Baydar, then flew towards the Baabda and Beirut areas, where it circled at an altitude of 300 feet, then circled over the Na`imah and Damur areas. It thus violated Lebanese airspace.

Between 0335 and 0720 hours on 10 October 2003 an Israeli reconnaissance aircraft flew north over the sea off Sidon at a distance of 11 miles from the coast, reaching the coast at Damur, whereupon it circled over the coast between Beirut and Na`imah, disappearing from the radar screen at a distance of four miles from the coast off Na`imah and Damur and reappearing over the sea off Damur at a distance of 10 miles from the coast, heading south. It thus violated Lebanese airspace.

Between 0638 and 1120 hours on the same day an Israeli reconnaissance aircraft flew north over the sea opposite the Naqurah area at an altitude of 35,000 feet, circling over the Na`imah and Damur areas. It then headed north to Ra's Beirut, circled over Ra's Beirut and the United States Embassy in Awkar and proceeded to an area east of Sidon. It also circled over the Hazimiyah, Awkar and Ra's Beirut areas. It thus violated Lebanese airspace.

Between 1035 and 1815 hours on the same day, an Israeli reconnaissance aircraft flew north over the sea 10 miles off Tyre and made a circle between Jounieh and Khaldah, thus violating Lebanese airspace.

Between 1815 and 2215 hours on the same day a reconnaissance aircraft flew over the sea in a northerly direction off Naqurah at a distance of 10 miles from the coast and made a circle between Khaldah and Jounieh at a distance of five miles over the mainland, thus violating Lebanese airspace.

Violations of territorial waters

At 2210 hours on 5 October 2003, in the open sea off Ra's Naqurah, an Israeli military boat fired a flare bomb over the water.

At 1050 hours on 6 October 2003, in the open sea off Ra's Naqurah, an Israeli military boat fired a number of rounds from medium-sized guns over the water.

At 2244 hours on 8 October 2003, an Israeli military boat fired a flare bomb over the water in the open sea off Ra's Naqurah.

At 1230 hours on 9 October 2003 an Israeli military boat fired a number of rounds from medium-sized guns in the open sea off Ra's Naqurah.

Between 1715 and 2105 hours on 10 October 2003 an Israeli military boat fired a flare bomb and a number of machine-gun rounds in the open sea off Ra's Naqurah.

At 0730 hours on 11 October 2003 an Israeli military boat fired a number of rounds from medium-sized weapons in the direction of occupied Palestinian territorial waters off Ra's Naqurah.

Acts of aggression in the field

At 1729 hours on 6 October 2003, Israeli enemy forces fired a number of rounds from various machine guns from an orchard in the occupied territory opposite the Kafr Killa-Udaysah road in the direction of the said road, causing material damage to passing vehicles, including a vehicle belonging to the international interim force, though no human losses resulted.

These acts of aggression reaffirm Israel's hostile attitude, and the nature and number of these unjustified and inexcusable violations and acts of aggression confirm Israel's premeditated intent to threaten and provoke and to disrupt security and stability in order to serve its aggressive, expansionist objectives throughout the region.

The Mission of Lebanon, in drawing the attention of the Secretary-General of the United Nations to the gravity and possible consequences of such acts of aggression, requests to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

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General Assembly
Fifty-eighth session
Agenda item 10
Report of the Secretary-General on the work of the Organization

Security Council
Fifty-eighth year

Identical letters dated 10 October 2003 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

The fifth high-level meeting between the United Nations and regional organizations was convened at United Nations Headquarters in New York from 29 to 30 July 2003. The theme of the meeting was "New challenges to international peace and security, including international terrorism". Twenty-one delegations from regional, subregional and other international organizations took part in that important meeting.

The purpose of the meeting was to discuss the main challenges to international peace and security facing the world today. The meeting examined potential threats to international security, such as civil wars and complex emergencies, the proliferation of weapons of mass destruction, international terrorism, gross violations of human rights, genocide, organized crime and other threats such as environmental degradation and the spread of diseases. The meeting also raised important questions as to how cooperative efforts could be strengthened between the United Nations and regional organizations to respond effectively to any new challenges, and it reviewed the follow-up to the previous two meetings, on cooperation in the fields of conflict prevention and peace-building.

I was very pleased with the results of the meeting, which showed renewed commitment by all to increased cooperation between the participating organizations. Among the many important points raised, I wish to note in particular the reaffirmed support of the participants for multilateralism and international institutions in general, the urgent need for the international community to provide effective responses to current challenges to international peace and security and the concern expressed by many that human rights should not be undermined in counter-terrorism efforts.

03-56814 (E) 211003

I have the honour to transmit to you the conclusions of the meeting, which reflect my understanding of the various proposals and comments as Chairman of the meeting (annex I). I also attach my opening remarks (annex II) and a list of participating organizations (annex III). I shall keep you informed of further progress made by the United Nations and regional organizations in this field of increasing importance.

(*Signed*) Kofi A. **Annan**

Annex I

Fifth high-level meeting between the United Nations and regional organizations

New challenges to international peace and security, including international terrorism

United Nations Headquarters, New York, 29 and 30 July 2003

Conclusions of the Chairman

1. The fifth high-level meeting of the United Nations and regional organizations was held on 29 and 30 July 2003 at United Nations Headquarters in New York. The participating organizations discussed the main challenges to international peace and security facing the world today, including international terrorism, poverty, intra- and inter-State conflicts, the proliferation of weapons of mass destruction, organized crime and violations of human rights. Some participants noted that, while these threats were often described as "new", they were in fact of long standing, though they were converging in novel ways and at an increasing speed. The participants felt that, by working together, regional and international organizations could have a major impact upon their broader constituencies.

2. Participants reaffirmed support for multilateralism and international institutions and for the international community to provide effective responses to today's challenges to international peace and security. There was a serious exchange over the implications of the use of force, which participants reaffirmed should be used in accordance with the Charter of the United Nations, under the authority of the Security Council. They noted the importance of more frequent high-level meetings between the United Nations and regional organizations. Participants also encouraged the exchange of information among regional and international organizations at the operational, strategic and policy levels.

3. Participants recognized that terrorism represents today a major challenge to international peace and security. They underscored the central role that the United Nations plays in coordinating international efforts against terrorism and in setting the framework for international action. To be effective, efforts against terrorism should be undertaken with a thorough understanding of the environment in which it has emerged. Participants stressed the importance of sharing experiences and best practices, as well as of providing assistance to fulfil international obligations in compliance with Security Council resolution 1373 (2001). This process had been initiated by the Security Council's Counter-Terrorism Committee, which had reached out to regional organizations. Cooperation between the United Nations and regional organizations should build on, and not duplicate, ongoing cooperation efforts.

4. The participating organizations reiterated their commitment that human rights should not be undermined in counter-terrorism efforts. They expressed the need to uphold fundamental human rights and existing international obligations concerning human rights as an integral part of the fight against terrorism, rather than make a trade-off between human rights and security, because respect for human rights constituted a basic element in ensuring security. While conventions stating the need

for the respect for human rights were essential instruments, there was a need to ensure compliance with existing standards.

5. At a time when remarkable progress had been achieved in the dialogue among civilizations, participants voiced concern about discrimination against peoples or cultures. While there was an unquestionable need to confront terrorist groups with determination, it was equally imperative to strengthen cultural and religious understanding and to promote the values of tolerance, respect and peaceful coexistence. Multilateral organizations had a key role to play in seeking ways of addressing this issue and in promoting cultural diversity and multilingualism.

6. Participants expressed particular concern about ensuring the protection of civilians, especially children, in situations of armed conflict, in particular by developing cooperative mechanisms for monitoring and peer review of the application and implementation of relevant international instruments.

7. Participants considered that poverty and deprivation continued to constitute equally important threats that could not be considered of lesser priority. Moreover, success in countering these serious problems by means of a successful development agenda could translate into progress in other areas. Peace-building activities should be accorded the highest priority.

8. Multilateral cooperation was key in the area of disarmament and non-proliferation. Participants recognized the importance of strengthening multilateral treaty regimes in these areas and of achieving universality both in their membership and in their full implementation. They agreed that regional organizations could make a significant contribution towards achieving and promoting the implementation and strengthening of key instruments in this field. Particular concern was voiced regarding the proliferation of weapons of mass destruction. The problem of the illicit trade in small arms was also noted.

9. Cooperation in the prevention of armed conflict was also noted as a fundamental element to counter challenges to international peace and security. Current cooperation at the working level should be pursued with renewed vigour.

Further work

10. To address the issues of human rights in the fight against terrorism, as well as the promotion of the dialogue among civilizations, the participants agreed on the need for further consultations at the working level. The participants also agreed on a framework for further cooperation in confronting challenges to international peace and security, including international terrorism.

Annex II

Opening remarks of the Secretary-General to the fifth high-level meeting between the United Nations and regional organizations

New York, 29 July 2003

It gives me great pleasure to welcome you to New York for this fifth high-level meeting between the United Nations and so many of the world's leading regional organizations.

At the opening of our last high-level meeting, in February 2001, I said that most of the challenges we face are bigger than any single one of us. If that was true then, it is even truer now.

Our age is abundant with promise. But we have been reminded, in stark and terrible terms, that our increasing interdependence also brings great vulnerability. In rich and poor States alike, many things happen over which people feel they have little control.

Borders are no barrier to the flow of new ideas, goods and services, tourists, economic migrants and communication. But neither do they easily stop the movement of terrorists, warlords, small arms, smuggled people, refugees, narcotics, infectious diseases and environmental hazards.

The vicious sting of terrorism has been felt by the world's most powerful country, by its biggest democracy, by its largest State, by its most populous Muslim nation, and by the home of Islam's holiest sites — indeed, by all of us. And we now see that weapons of mass destruction threaten us not only by their very existence, but also by the potential that they might fall into the hands of terrorists who are difficult to deter and extreme in their methods and objectives.

Civil wars and the disintegration of States create conditions in which civilians are brutalized and warlords, terrorists and traffickers are empowered.

Meanwhile, the question of when and on whose authority military force should be used, be it to protect the innocent or to achieve other aims, arouses great passions — not only in those States where force is deployed, but everywhere.

While many of these problems have long been with us in one form or another, the range and diversity of the challenges presented by the current environment are unprecedented. In discussing how we can work together to address these challenges, I hope we can build on the progress made during our previous high-level meetings in cooperating on conflict prevention and peace-building.

I also hope we can build on the discussions earlier this year, in which regional organizations took active part, in the special meeting of the Counter-Terrorism Committee and in the high-level Security Council meeting on new threats to peace and security.

As we discuss these new challenges, I have invited the International Criminal Police Organization, the Shanghai Cooperation Organization and the Collective Security Treaty Organization to join us, and I welcome them to this forum. They have much to contribute to the consideration of the items on our agenda.

I do not want to prejudge what course our discussions might take or the conclusions we might reach. But I believe we would do well to bear in mind a few basic points.

First, we must remember that we are all in this together. Let us not add to our burdens by descending into unproductive polarizing over our differences. The interests and values we share are vastly more important than the disputes we have, even on fundamental issues.

Second, as our world changes, our institutions must keep pace with those changes. We need a candid evaluation of our existing mechanisms and ways of working. And we must redouble our efforts aimed at innovation and reform.

Third, we must be proactive not only against common enemies and threats, but also against the factors that allow them to thrive. Much of the work of the United Nations seeks to remove the sense of political grievance and economic despair that can yield recruits to the violent designs of terrorists. This work must have a central place in any overall strategy to defeat terrorism and other causes of insecurity.

Fourth, we must be proactive in promoting the principles in which we believe and which are enshrined in the Charter, including the protection of human rights and fundamental freedoms. Every time we advance the protection of human rights, we deal a blow to the evil designs of terrorists, and we remove a sense of injustice that can cause the oppressed to channel their frustration into illegitimate violence. If we compromise on human rights in seeking to fight terrorism, we hand terrorists a victory they cannot achieve on their own.

If we build on these fundamentals, I believe we can develop a new vision of global security. A vision that respects human rights while confronting the threats of our age — including the threat of terrorism. A vision that draws upon the resources and legitimacy of a network of effective and mutually reinforcing multilateral mechanisms — regional and global — that are flexible and responsive to our rapidly changing and integrating world.

I look forward to a productive meeting and to hearing your views. And I hope that when we conclude we have a common set of specific next steps.

Annex III

List of organizations participating in the fifth high-level meeting between the United Nations and regional organizations

Regional organizations

African Union

Association of South-East Asian Nations

Caribbean Community

Collective Security Treaty Organization

Commonwealth Secretariat

Commonwealth of Independent States

Community of Portuguese-Speaking Countries

Council of Europe

Council of the European Union

European Commission

Economic Community of West African States

International Criminal Police Organization

International Organization of la Francophonie

League of Arab States

North Atlantic Treaty Organization

Organization of American States

Organization of the Islamic Conference

Organization for Security and Cooperation in Europe

Pacific Islands Forum Secretariat

Presidency of the Council of the European Union

Shanghai Cooperation Organization

United Nations agencies, funds, offices, programmes and other international organizations

International Atomic Energy Agency

International Monetary Fund

Office of the United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Refugees

Organization for the Prohibition of Chemical Weapons

United Nations Children's Fund

United Nations Development Programme

United Nations Environment Programme

United Nations Office at Geneva

United Nations Office at Vienna/Office on Drugs and Crime

The World Bank Group

United Nations Economic Commission for Europe

United Nations organs and departments

President of the General Assembly

President of the Security Council and Chairman of the Counter-Terrorism Committee

President of the Economic and Social Council

Department for Disarmament Affairs

Department of Economic and Social Affairs

Department of General Assembly and Conference Management

Department of Peacekeeping Operations

Department of Political Affairs

Office for the Coordination for Humanitarian Affairs

Office of the Special Representative of the Secretary-General for Children and Armed Conflict

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Security Council

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20 October 2003

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Letter dated 15 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement concerning the parliamentary elections in Rwanda issued by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Marcello **Spatafora**
Permanent Representative of Italy to the United Nations

03-57171 (E) 211003

Annex to the letter dated 15 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement concerning the parliamentary elections in Rwanda issued on 13 October 2003 by the Presidency of the European Union on behalf of the European Union

On the occasion of the parliamentary elections in Rwanda, the European Union wishes to highlight the importance of the completion of the country's electoral process, which represents a very important step towards national reconciliation and the consolidation of viable democratic institutions. Like the presidential poll on 25 August 2003, the parliamentary elections were conducted in a calm, orderly manner and with an organizational effort reflecting the care taken by the Rwandan authorities with Rwanda's political transition.

At the same time, the European Union has noted the comments made by its election observer mission in its preliminary statement on 3 October 2003 as regards the obstacles to opposition activities, the intimidation, the threats and the arrests that marked the election campaign, as well as the irregularities discovered at a number of polling stations. Fully inclusive involvement of Rwandan society in the country's political development remains a precondition for real economic and social progress in Rwanda.

The elections in Rwanda also represent a key factor in the prevailing situation in the Great Lakes region. The achievement of a political transition in Rwanda comes at a time when the peace processes in the Democratic Republic of the Congo and in Burundi are showing encouraging progress. The European Union reaffirms its willingness to assist the reconciliation process in the Great Lakes region, which may emerge the stronger after the latest developments.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey and the EFTA countries members of the European Economic Area, align themselves with this statement.

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Letter dated 15 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the declaration by the Presidency on behalf of the European Union on the massacres in the province of Ituri in the Democratic Republic of the Congo published on 13 October 2003 (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Marcello **Spatafora**
Permanent Representative of Italy to the United Nations

03-57053 (E) 201003

Annex to the letter dated 15 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

[Original: English and French]

Declaration by the Presidency on behalf of the European Union on the massacres in the province of Ituri in the Democratic Republic of the Congo

The European Union firmly condemns the renewed massacres in Ituri, on Monday, 6 October 2003, in the village of Katchele. These events, which add to the enormous suffering already sustained by the local populations, demonstrate the persistence of elements opposing the peace process in the Democratic Republic of the Congo, despite the progress made in recent months.

The European Union confirms its very strong support for the peace process and its determination to ensure that the perpetrators of these massacres do not go unpunished. In this connection, the European Union notes the decision of the International Criminal Court to examine the investigations into the events in Ituri.

The European Union calls on the States in the region to cooperate fully with the transitional Government of the Democratic Republic of the Congo in its task of restoring order and the authority of the State throughout the territory, and in its eastern provinces in particular. The European Union attaches great importance to the strict observance of Security Council resolution 1493 (2003), which, inter alia, invites all States to take the necessary measures to prevent the direct or indirect supply of arms to armed groups operating in the eastern provinces of the Democratic Republic of the Congo that are not party to the Global and All-Inclusive Agreement.

The European Union encourages the United Nations Organization Mission in the Democratic Republic of the Congo to continue its peacekeeping efforts in Ituri, in the wake of Operation Artemis, and notes with satisfaction the full deployment of the Ituri Brigade.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey and the European Free Trade Association countries members of the European Economic Area align themselves with this declaration.

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Letter dated 15 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 13 October 2003 by the Presidency of the European Union on behalf of the European Union in response to the political agreement signed in Pretoria on 8 October 2003 by the Government of Burundi and the FDD movement (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Marcello **Spatafora**
Permanent Representative of Italy to the United Nations

03-57177 (E) 211003

Annex to the letter dated 15 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement issued on 13 October 2003 by the Presidency of the European Union on behalf of the European Union in response to the political agreement signed in Pretoria on 8 October 2003 by the Government of Burundi and the FDD movement

The European Union congratulates the transitional government and Mr. Pierre Nkurunziza's CNDD-FDD movement following the signing on 8 October of the Pretoria Protocol on political, defence and security power-sharing in Burundi. It fervently hopes that the call issued by both warring parties for an end to hostilities will be followed by immediate action in the interests of the Burundian population.

Th European Union calls on the parties to move swiftly to implement the agreement's political and military clauses and confirms its willingness to assist in Burundi's peace and reconstruction process. The European Union reaffirms its support for the Multi-country Demobilization and Reintegration Programme, to which the Commission and the member States are the main contributors.

The European Union calls on Mr. Agathon Rwasa's FNL movement to pursue the path of dialogue and asks the Burundian authorities to do their utmost to foster negotiations with that movement.

The European Union commends the facilitation job done by South Africa, which hosted the recent meetings between the Government and FDD, and appreciates the continued commitment of the regional mediators. It also expresses its political and financial support for the African Mission in Burundi at this crucial stage in the peace process and invites all the warring parties to play an active and constructive part in the work of the Joint Ceasefire Commission.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey and the EFTA countries members of the European Economic Area align themselves with this statement.